

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:01CR163
)	
Plaintiff,)	
vs.)	ORDER
)	
ROBERT E. WATKINS,)	
)	
Defendant.)	

Defendant has filed a notice of appeal (filing [334](#)) from this court's orders denying his motion (filing [330](#)) for miscellaneous relief and Watkins' objection thereto (filings [331](#) & [333](#)).

The criminal trial in this case occurred in April 2003, judgment was entered in August 2003 (filing [168](#)), and Watkins's conviction and sentence were affirmed by the Eighth Circuit Court of Appeals in October 2004 (filing [194](#)) and again after remand from the United States Supreme Court in July 2005. Since the time of Watkins's conviction, sentence, and appeals, he has filed countless motions, including motions for return of seized property, for photocopies, to hold counsel in contempt, to hold a fact-finding hearing, for release of Brady materials, for an evidentiary hearing, to submit newly discovered evidence, for information, and to discipline counsel, as well as appeals from the rulings on those motions. (Filings [186](#), [188](#), [192](#), [198](#), [199](#), [200](#), [201](#), [203](#), [204](#), [207](#), [220](#), [222](#), [231](#), [237](#), [241](#), [249](#), [277](#), [281](#), [287](#), [296](#), [298](#), [316](#), [318](#).) As noted in prior orders, Watkins has continued to "abus[e] the judicial process by encumbering the court file with motions for relief to which he is not entitled, and appeals therefrom. See [18 U.S.C. § 401](#) (United States courts have power to punish by fine or imprisonment contempt of its authority, including disobedience to court's process, order, or command)." (Filings [267](#), [272](#), [300](#).)

I previously ordered that "Defendant is barred from filing, and the Clerk shall not accept, any further materials submitted by Defendant for filing in this closed case, including, but not limited to, motions, letters, requests, objections, notices, briefs, memoranda, or appeals." (Filing [300](#) at CM/ECF p. 2.) Nevertheless, defendant Watkins has continued to file, and the Clerk has continued to accept, such filings.

Once again, and because of Mr. Watkins's continual abuse of the judicial process,

I shall order that Defendant's appeal be stricken and that Defendant be barred from filing anything further in this closed case. Further, I shall direct the Clerk of Court to forego processing Defendant's purported appeal.

IT IS ORDERED:

1. Defendant's notice of appeal (filing [334](#)) is stricken;
2. The Clerk of Court shall not process Defendant's notice of appeal;
3. Pursuant to [Fed. R. App. P. 24\(a\)\(3\)\(A\)](#), the court certifies that Defendant's appeal is not taken in good faith, as the notice of appeal violates several previous orders barring Defendant from filing further materials in this closed case;
4. The Defendant is barred from filing any further materials in this case, including, but not limited to, motions, letters, requests, objections, notices, briefs, memoranda, or appeals;
5. Defendant's filing of further materials in this case shall result in monetary sanctions; and
6. The Clerk of the Court shall forward a copy of this memorandum and order to the Clerk of the United States Court of Appeals for the Eighth Circuit.

DATED this 24th day of November, 2015.

BY THE COURT:

s/ Richard G. Koff

United States District Judge

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